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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KENNETH SPEARMAN,

Plaintiff,

v.

TARGET CORPORATION, a foreign
Corporation; DOES 1-20 and ROE BUSINESS
ENTITIES 1-20, inclusive,

Defendants.

CASE NO.: 2:20-cv-01789-APG-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(Second Request)

Plaintiff, KENNETH SPEARMAN, by and through his attorney of record, RICHARD HARRIS, ESQ. and SAMANTHA A. MARTIN, ESQ. of the RICHARD HARRIS LAW FIRM; and Defendant, TARGET CORPORATION, by and through its attorneys of record, LOREN S. YOUNG, ESQ. of the law firm LINCOLN, GUSTAFSON & CERCOS, LLP, hereby stipulate and request that the Court extend the discovery and dispositive motion deadlines by approximately one hundred eighty (180) days. This extension is not sought for the purpose of delay or for any other untoward purpose. This stipulation is based on the fact that additional time is necessary to conduct discovery; the majority of which relates to the COVID-19 directives, as well as Plaintiff's counsel's upcoming maternity leave

1 (August – October 2021). This is the parties' second request to extend any discovery and dispositive
2 motion deadlines in this matter.

3 Pursuant to Local Rule 26-4, the parties state as follows:

4 **I. DISCOVERY COMPLETED TO DATE**

- 5 a. The parties conducted the Fed. R. Civ. P. 26(f) conference.
- 6 b. The parties have exchanged initial disclosures of documents and lists of witnesses
7 and supplements thereto.
- 8 c. Defendant has propounded requests for production of documents and interrogatories
9 on Plaintiff. Plaintiff has responded to these requests and has provided supplemental
10 responses to these requests.
- 11 d. Plaintiff has propounded requests for production of documents and interrogatories
12 on Defendant. Defendant has responded to these requests and has provided
13 supplemental responses to these requests.
- 14 e. Plaintiff has served his First and Second Supplemental Disclosure of Witnesses and
15 Documents pursuant to FRCP 26.
- 16 f. Defendant has served its First, Second, Third, Fourth, Fifth and Sixth Supplemental
17 Disclosure of Witnesses and Documents Pursuant to FRCP 26.
- 18 g. Videotaped deposition of Plaintiff has been completed.

19 **II. DISCOVERY TO BE COMPLETED**

- 20 a. Medical examination pursuant to FRCP 35.
- 21 b. Deposition of Rule 30(b)(6) designee(s) of TARGET.
- 22 c. Depositions of Plaintiff's treating physicians.
- 23 d. Disclosure of expert witnesses and rebuttal.
- 24 e. Depositions of fact witnesses.
- 25 f. Depositions of expert witnesses.
- 26 g. Additional written discovery.
- 27 h. Supplemental responses to written discovery.
- 28 i. Other discovery as necessary.

1 The above list is made without prejudice to the parties' ability to conduct additional discovery
2 consistent with the Federal Rules of Civil Procedure.

3 **III. REASONS WHY THE DEADLINES CANNOT BE COMPLETED WITHIN THE**
4 **CURRENT SCHEDULE**

5 This matter is a personal injury claim, where the Plaintiff is alleging injuries due to a slip and
6 fall on the premises of Defendant in Las Vegas, Nevada. Currently, Plaintiff is claiming past medical
7 damages and other damages. The parties have been participating in the discovery process, however,
8 there is pertinent discovery that remains to be completed.

9 Additionally, the COVID-19 pandemic has caused scheduling issues that have and may possibly
10 continue to result in delays. Defendant is in the process of obtaining Plaintiff's past medical records.
11 Until such time that Defendant has received Plaintiff's complete medical records, Defendant's experts
12 cannot conduct a medical records review, perform an F.R.C.P. 35 examination, and expert reports.
13 Consequently, additional time is necessary in order to complete the expert disclosures and remaining
14 discovery. The parties agree that this request is not made for the purpose of delay, but to ensure a just
15 adjudication of the case on the merits, and that neither party will be prejudiced by the requested
16 extension. The parties will continue to work cooperatively with each other to complete discovery.

17 In addition, Plaintiff's counsel is expected to give birth in August 2021 and will be on maternity
18 leave for three (3) months thereafter (until approximately October 31, 2021). Additionally, Plaintiff
19 and Defendant are working on getting a mediation scheduled for the latter part of September/October,
20 2021.

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1 **IV. PROPOSED SCHEDULE**

2 WHEREFORE, the parties respectfully request that this Court extend discovery deadlines as
 3 follows:

4 EVENT	5 CURRENT DEADLINE	6 PROPOSED DEADLINE
Discovery Deadline	August 23, 2021	February 22, 2022
Las Day to Amend Pleadings/ Add Parties	May 24, 2021	Same
Initial Expert Disclosure	June 23, 2021	December 20, 2021
Rebuttal Expert Disclosure	July 26, 2021	January 24, 2022
Dispositive Motions	September 21, 2021	March 21, 2022
Pretrial Order	October 21, 2021	April 19, 2022

10 DATED this 15th day of June, 2021.

11 **RICHARD HARRIS LAW FIRM**

12 */s/ Samantha A. Martin, Esq.*

13 **SAMANTHA A. MARTIN, ESQ.**

14 Nevada Bar No. 12998
 15 801 S. Fourth Street
 16 Las Vegas, Nevada 89101
 17 Attorney for Plaintiff, Kenneth Spearman

DATED this 15th day of June, 2021.

LINCOLN, GUSTAFSON & CERCOS, LLP

/s/ Loren S. Young

LOREN S. YOUNG, ESQ.

Nevada Bar No. 7567
 3960 Howard Hughes Parkway, Suite 200
 Las Vegas, NV 89169
 Attorneys for Defendant, Target Corporation

18 IT IS SO ORDERED:

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 23 UNITED STATES MAGISTRATE JUDGE
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Dated: June 16, 2021